

Calgary

Injunction granted against 2nd rodeo protesting Alberta's COVID-19 restrictions

Judge rules 'No More Jason Kenney Pro Rodeo Rally' with \$15 admission can't legally proceed

[Meghan Grant](#), [John Gibson](#) · CBC News · Posted: Jun 04, 2021 9:59 AM MT | Last Updated: June 4, 2021



Hundreds attended a rodeo near Bowden, Alta., on May 1 and 2 in defiance of public health restrictions and despite surging COVID-19 cases. (Justin Pennell/CBC)

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A judge in Calgary has granted an injunction blocking a weekend rodeo that was planned in protest of COVID-19-related public health restrictions and Alberta Premier Jason Kenney, dismissing the organizers' argument that it would be a political rally.

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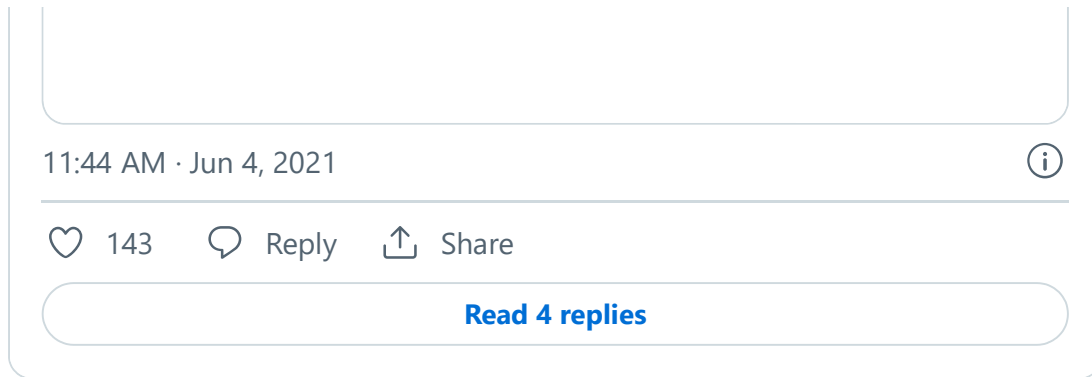
Rooke: If you want to bring an application that they're (Kenney, Shandro, etc.) in breach (contempt) of public health orders, do that

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BREAKING: Justice Rooke grants injunction against planned weekend rodeo despite lawyers arguing it's a political rally.

Referring to this poster, Rooke says: "If it looks like a duck and it quacks like a duck and it walks like a duck, it's probably a duck."



The event is billed as the "No More Jason Kenney Pro Rodeo Rally," and its poster promises "rodeo action all weekend" with \$15 tickets being sold at the gate.

"There's very little to contest," said Alberta Health Services lawyer Kyle Fowler. "The event is not permitted to proceed."

Organizers Ty and Gail Northcott were behind an earlier protest rodeo near Bowden, Alta., last month that attracted an estimated 3,000 attendees and resulted in charges against them under the Alberta Health Act.

The Northcotts have pleaded not guilty to their contempt charges and will face another judge at a later date.

Postponing 'not by choice'

In response to the injunction granted Friday, the Northcotts announced they would postpone the event.

"We want to be clear that we are not postponing this by our choice," said Ty Northcott in a written statement posted to Facebook.

"This is what AHS and Justice Rooke have forced us into. Never would we have dreamed that in a free country, it would be illegal to do a rodeo rally."

Northcott took issue with the plan to allow the Calgary Stampede to go ahead in July based on the anticipation Alberta will be in Stage 3 of its reopening plan. The province is currently in Stage 1.

"Maybe Premier Kenney doesn't like the name of our event: the 'No More Jason Kenney Pro Rodeo Rally,'" said Northcott.

- [**Organizers of 'anti-lockdown' rodeo plead not guilty to violating health act, vow to hold more events**](#)

'If it looks like a duck'

Currently, only 10 people are allowed to attend an outdoor gathering in Alberta, numbers of people allowed at protests and rallies are unlimited if other health orders, including masking and physical distancing, are obeyed.

In Alberta's Court of Queen's Bench on Friday, Jay Cameron, lawyer for the Northcotts, argued that the event was a "political rally that incorporates a rodeo" and suggested AHS could ticket those not in compliance with public health restrictions.

But Associate Chief Justice John Rooke was not convinced.

"If it looks like a duck and it quacks like a duck and it walks like a duck, it's probably a duck," he said in ruling that the planned event was meant to be a rodeo.

Rooke ruled there was a potential for irreparable harm to attendees and those who would be in contact with them afterward.





Premier Jason Kenney, Environment and Parks Minister Jason Nixon, Finance Minister Travis Toews, Health Minister Tyler Shandro and a staff member were photographed dining outdoors on the evening of June 1. (Submitted)

Premier's dinner controversy raised

The hearing turned even more political when Cameron argued that Kenney himself wasn't following AHS rules.

"The premier, cabinet ministers and staffers were photographed in an outdoor venue breaching a number of public health orders," said Cameron. "The minister of health was photographed at that event."

Earlier this week, three cabinet ministers, Kenney and other staff members dined outdoors on an 11th-floor terrace at the Alberta legislature grounds in Edmonton, appearing to be in breach of Alberta's Stage 1 rules for outdoor and social gatherings.

The group was photographed by an anonymous tipster who sent the images to media outlets.

After the injunction was imposed against his clients, Cameron put on the record that all Albertans are subject to the public health and court orders.

"Any such order would apply to the minister of health himself next time he goes to lunch with the premier," said Cameron.

Rooke refused to allow that line of argument and said Cameron was welcome to bring an application before the court alleging the premier and MLAs were also in breach of public health restrictions

"Two wrongs don't make a right, assuming there was a wrong in that event," Rooke said.

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